

March 3, 2022

Thomas C. Jensen
TJensen@perkinscoie.com
D. +1.202.654.1718
F. +1.202.624.9599

VIA ECF

The Honorable William M. Conley
U.S. District Court
Western District of Wisconsin
120 North Henry Street
Madison, WI 53703

Re: Case Nos. 21-cv-00096-wmc & 21-cv-00306-wmc (consolidated)
Nat'l Wildlife Refuge Ass'n, et al. v. Rural Utilities Service, et al.

Dear Judge Conley:

On behalf of American Transmission Company LLC, by its corporate manager ATC Management Inc., ITC Midwest LLC, and Dairyland Power Cooperative (collectively, “the Co-owners”), I am writing concerning the motion for stay pending appeal that the Co-owners filed in this case on January 31, 2022, concurrently with their remedy briefing. *See* ECF No. 186; ECF No. 191 at 40–65.

The Co-owners received the final judgment this Court entered on March 1. ECF No. 195. The Co-owners have appealed that judgment to the U.S. Court of Appeals for the Seventh Circuit. ECF No. 196. Parties generally must seek a stay pending appeal with the district court before so moving in the court of appeals.¹ The Co-owners’ motion for stay addressed the facts and law relevant to the issues raised in the Court’s Opinion and Order on summary judgment, ECF No. 175, and the final judgment reflects the same issues. As such, having moved this Court for a stay on January 31, the Co-owners respectfully request that this Court rule on that motion by Wednesday, March 9, 2022, after which time they intend to seek further relief, as necessary, from the Seventh Circuit.

Sincerely,



cc: All counsel of record (via ECF)

¹ *See* Fed. R. App. P. 8(a).

CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2022, I electronically filed the foregoing document with the Clerk of Court using the Court's ECF system, which will serve the document on all counsel of record registered for electronic filing in the above-captioned proceeding.

Dated: March 3, 2022

/s/ Thomas C. Jensen
Thomas C. Jensen